

TARA L. SWAFFORD  
TEL (615) 742-7731  
FAX (615) 742-2840  
tswofford@bassberry.com

**BASS, BERRY & SIMS PLC**

A PROFESSIONAL LIMITED LIABILITY COMPANY  
ATTORNEYS AT LAW

AMSOUTH CENTER  
315 DEADERICK STREET, SUITE 2700  
NASHVILLE, TN 37238-3001  
(615) 742-6200

www.bassberry.com

RECEIVED

2004 MAY 17 PM 1:56

OTHER OFFICES  
NASHVILLE MUSIC ROW  
KNOXVILLE  
MEMPHIS

T.R.A. DOCKET ROOM

May 17, 2004

**VIA HAND DELIVERY**

Deborah T. Tate, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37243-0505

**Re: Tennessee Coalition of Rural Incumbent Telephone Companies and  
Cooperatives Request for Suspension of Wireline to Wireless Number  
Portability Obligations Pursuant to Section 251(f)(2) of the  
Communications Act of 1934, as Amended  
Docket No. 03-00633**

Dear Chairman Tate:

Per the TRA's Order of May 7, 2004, enclosed are the following discovery requests:

1. The Coalition's First Set of Discovery Requests to the Consumer Advocate and Protection Division of the Attorney General for the State of Tennessee; and
2. The Coalition's First Set of Discovery Requests to Verizon Wireless.

Sincerely,

  
Tara L. Swafford

TLS:bb  
Enclosure

cc. Melvin J. Malone, Esq.  
Timothy C. Phillips, Esq.  
R. Dale Grimes, Esq.  
Stephen Kraskin, Esq.  
Tom Moorman, Esq.

**Before the  
TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In the Matter of	)	
	)	
Tennessee Coalition of Rural	)	Docket No. 03-00633
Incumbent Telephone Companies	)	
And Cooperatives	)	
Request for Suspension of Wireline to	)	
To Wireless Number Portability Obligations	)	
Pursuant to Section 251(f)(2) of the	)	
Communications Act of 1934, as Amended	)	

**THE COALITION'S FIRST SET OF DISCOVERY REQUESTS TO THE CONSUMER  
ADVOCATE AND PROTECTION DIVISION OF THE ATTORNEY GENERAL FOR  
THE STATE OF TENNESSEE**

Pursuant to the TRA's Order of May 7, 2004 in this matter, the Tennessee Coalition of Rural Incumbent Telephone Companies And Cooperatives (the "Coalition") requests that the Consumer Advocate and Protection Division of the Attorney General for the State of Tennessee ("CAPD") respond to these discovery requests at the offices of Bass, Berry & Sims, PLC, 315 Deaderick Street, Suite 2700, Nashville, Tennessee 37238-3001, no later than May 27, 2004.

**DEFINITIONS**

In these discovery requests, the terms "document" or "documents" or "documentation" refers to all written, reported, recorded or graphic matter (including all drafts, originals and nonconforming copies that contain deletions, insertions, handwritten notes or comments, and the like) however produced or reproduced to any tangible or intangible, permanent or temporary record and, without limitation, shall include the following: all letters, correspondence, records of conferences or meetings, memoranda, notes, printed electronic mail ("e-mail"), telegrams, telephone logs, teletypes, telexes, banking records, notices of wire transfer of funds, canceled

checks, books of account, budgets, financial records, contracts, agreements, invoices, speeches, transcripts, depositions, press releases, affidavits, communications with government bodies, interoffice communications, working papers, newspaper or magazine articles, computer data, tax returns, vouchers, papers similar to any of the foregoing, and any other writings of every kind and description (whether or not actually used) and any other records from which information can be obtained and translated into reasonably usable form, including without limitation, e-mail, voice recordings, video and audio recordings, photographs, films, tapes and other data compilations.

### **DISCOVERY REQUESTS**

1. Please state the CAPD's position on who should bear the entirety of the costs incurred by a Coalition member for implementation of intermodal local number portability. If the CAPD's position is that the rural wireline carrier should pay for the implementation, please explain all reasons, factual and legal, for that position. If the CAPD's position is otherwise, please give all factual and legal reasons for that position.

### **RESPONSE:**

2. Of the Coalition member, wireless provider, or third party, please state the CAPD's position on who should bear the costs incurred by a Coalition member for the transport of a call to an end user served by a number ported to a wireless provider where the wireless provider has no physical point of interconnection on the Coalition members' network, and no business terms and conditions exist regarding the exchange of traffic through such physical point

of interconnection. If the CAPD's position is that the Coalition member should bear the costs, please give all factual and legal reasons for that position.

**RESPONSE:**

3. Please state the CAPD's position on how calls to a ported number should be routed by the Coalition member.

**RESPONSE:**

4. State in detail the legal and factual basis for any objection or opposition CAPD has with respect to any aspect of the suspension requested by the Coalition in this docket.

**RESPONSE:**

5. Please confirm that the CAPD does not dispute the costs set forth by each Coalition member in the Amended Petition on pages 10-14. If the CAPD's response is anything but an unqualified confirmation, please provide the legal and factual basis for the response.

**RESPONSE:**

6. Please confirm that the CAPD does not dispute the dates of in-office LNP technical, hardware, or software deployment, as provided in Attachment A to the Coalitions'

Amended Petition. If the CAPD's response is anything but an unqualified confirmation, please provide the legal and factual basis for the response.

**RESPONSE:**

7. Please provide all details associated with any request by any customer of a Coalition member to port a wireline number to a wireless carrier that has been made by such customer to the CAPD. For purposes of the CAPD's response, the term "details" shall include the scope of the request, the Coalition member serving the customer, the date of the request, and the name and address of the customer.

**RESPONSE:**

8. Identify each person whom you expect to call as an expert witness at any hearing in this docket, and for each such expert witness:

- (a) identify the field in which the witness is to be offered as an expert;
- (b) provide complete background information, including the expert's current employer as well as his or her educational, professional and employment history, and qualifications within the field in which the witness is expected to testify, and identify all publications written or presentations presented in whole or in part by the witness;

- (c) provide the grounds (including without limitation any factual bases) for the opinions to which the witness is expected to testify, and provide a summary of the grounds for each such opinion;
- (d) identify any matter in which the expert has testified (through deposition or otherwise) by specifying the name, docket number and forum of each case, the dates of the prior testimony and the subject of the prior testimony, and identify the transcripts of any such testimony;
- (e) identify for each such expert any person whom the expert consulted or otherwise communicated with in connection with his expected testimony;
- (f) identify the terms of the retention or engagement of each expert including but not limited to the terms of any retention or engagement letters or agreements relating to his/her engagement, testimony, and opinions as well as the compensation to be paid for the testimony and opinions;
- (g) identify all documents or things shown to, delivered to, received from, relied upon, or prepared by any expert witness, which are related to the witness(es)' expected testimony in this case, whether or not such documents are supportive of such testimony, including without limitation all documents or things provided to that expert for review in connection with testimony and opinions; and
- (h) identify any exhibits to be used as a summary of or support for the testimony or opinions provided by the expert.

**RESPONSE:**

9. Please produce copies of any and all documents referred to or relied upon in responding to the Coalition's discovery requests.

**RESPONSE:**

10. Please provide all material provided to, reviewed by or produced by any expert or consultant retained by CAPD to testify or to provide information from which another expert will testify concerning this case.

**RESPONSE:**

11. Please produce all work papers of any of CAPD's proposed experts, including but not limited to file notes, chart notes, tests, test results, interview and/or consult notes and all other file documentation that any of CAPD's expert witnesses in any way used, created, generated or consulted by any of CAPD's expert witnesses in connection with the evaluation, conclusions and opinion in the captioned matter.

**RESPONSE:**

12. Please produce a copy of all trade articles, journals, treatises and publications of any kind in any way utilized or relied upon by any of CAPD's proposed expert witnesses in evaluating, reaching conclusions or formulating an opinion in the captioned matter.

**RESPONSE:**

13. Please produce a copy of all documents which relate or pertain to any factual information provided to, gathered by, utilized or relied upon by any of CAPD's proposed expert witnesses in evaluating, reaching conclusions or formulating an opinion in the captioned matter.

**RESPONSE:**

14. Please produce a copy of all articles, journals, books or speeches written by or co-written by any of CAPD's expert witnesses, whether published or not.

**RESPONSE:**



15. Please produce any and all documentation, items, reports, data, communications, and evidence of any kind that CAPD intends to offer as evidence at the hearing or to refer to in any way at the hearing.

**RESPONSE:**

16. Please produce all documents that refer or relate to the subject matter of the CAPD's responses to Request Nos. 1 - 7.

**RESPONSE:**

17. Please identify by name, address, employer, and current telephone number, all persons having knowledge of the subject matter of the CAPD's responses to Request Nos. 1 - 7.

**RESPONSE:**

18. Please list all witnesses you expect will provide testimony at the hearing of this matter, including their name, address, and a summary of the scope of their testimony.

**RESPONSE:**

Respectfully submitted,  
The Tennessee Coalition of  
Incumbent Rural Telephone  
Companies and Cooperatives

By: 

R. Dale Grimes (006223)  
Tara L. Swafford (17577)  
Bass, Berry & Sims PLC  
315 Deaderick Street, Suite 2700  
Nashville, TN 37238-3001  
(615) 742-6244

Of Counsel:  
Thomas J. Moorman  
Stephen G. Kraskin  
Kraskin, Lesse & Cosson LLC  
2120 L Street N.W. Suite 520  
Washington, D.C. 20037  
202-296-8890

## CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via hand delivery or facsimile on May 17, 2004, upon:

Richard Collier, Esq.  
General Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

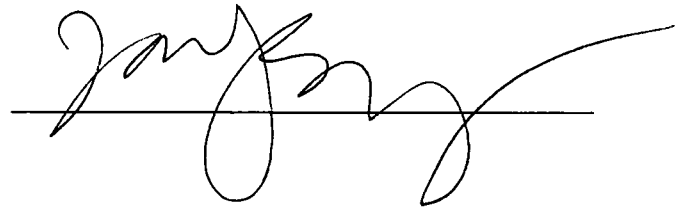
Hand delivery	<input checked="" type="checkbox"/>
U. S. Mail	<input type="checkbox"/>
Facsimile	<input type="checkbox"/>

Paul G. Summers, Esq.  
Vance L. Broemel, Esq.  
Timothy C. Phillips, Esq.  
Office of the Attorney General  
Consumer Advocate and Protection Division  
425 5th Avenue North  
Nashville, Tennessee 37202

Hand delivery	<input checked="" type="checkbox"/>
U. S. Mail	<input type="checkbox"/>
Facsimile	<input type="checkbox"/>

Melvin J. Malone, Esq.  
Miller & Martin, PLLC  
1200 One Nashville Place  
150 Fourth Avenue, North  
Nashville, Tennessee 37219-2433

Hand delivery	<input checked="" type="checkbox"/>
U. S. Mail	<input type="checkbox"/>
Facsimile	<input type="checkbox"/>



**Before the  
TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In the Matter of	)	
	)	
Tennessee Coalition of Rural	)	Docket No. 03-00633
Incumbent Telephone Companies	)	
And Cooperatives	)	
Request for Suspension of Wireline to	)	
To Wireless Number Portability Obligations	)	
Pursuant to Section 251(f)(2) of the	)	
Communications Act of 1934, as Amended	)	

**THE COALITION'S FIRST SET OF DISCOVERY REQUESTS TO VERIZON  
WIRELESS**

Pursuant to the TRA's Order of May 7, 2004 in this matter, the Tennessee Coalition of Rural Incumbent Telephone Companies And Cooperatives (the "Coalition") requests that Intervenor Verizon Wireless ("Verizon") respond to these discovery requests at the offices of Bass, Berry & Sims, PLC, 315 Deaderick Street, Suite 2700, Nashville, Tennessee 37238-3001, no later than May 27, 2004.

**DEFINITIONS**

In these discovery requests, the terms "document" or "documents" or "documentation" refers to all written, reported, recorded or graphic matter (including all drafts, originals and nonconforming copies that contain deletions, insertions, handwritten notes or comments, and the like) however produced or reproduced to any tangible or intangible, permanent or temporary record and, without limitation, shall include the following: all letters, correspondence, records of conferences or meetings, memoranda, notes, printed electronic mail ("e-mail"), telegrams, telephone logs, teletypes, telexes, banking records, notices of wire transfer of funds, canceled checks, books of account, budgets, financial records, contracts, agreements, invoices, speeches,

transcripts, depositions, press releases, affidavits, communications with government bodies, interoffice communications, working papers, newspaper or magazine articles, computer data, tax returns, vouchers, papers similar to any of the foregoing, and any other writings of every kind and description (whether or not actually used) and any other records from which information can be obtained and translated into reasonably usable form, including without limitation, e-mail, voice recordings, video and audio recordings, photographs, films, tapes and other data compilations.

### **DISCOVERY REQUESTS**

1. Please list since January 1, 1997 to the present the number of requests Verizon has received for numbers to be ported to Verizon from a wireline number of a customer served by any member of the Coalition. For *each* request, please list the company and exchange for the number that has requested porting, the telephone number associated with that request, and the date of the porting request.

#### **RESPONSE:**

2. Please provide a copy of each request from Verizon to a Coalition member for local number portability. Please state whether you consider any of these requests to be “bona fide” and please provide all factual and legal reasons supporting your position.

#### **RESPONSE:**

3. Please state whether Verizon can comply with porting requests and provide service for customers within all areas serviced by the Coalition. If there are any areas where Verizon cannot accept porting requests and provide service within this area, please specify the exchange and the Coalition member that serves that location.

**RESPONSE:**

4. Is Verizon willing to be responsible for the costs to transport calls to a ported number where Verizon has no physical point of interconnection on the Coalition's network?

**RESPONSE:**

5. Please state your position on how calls to a ported number should be routed by the Coalition member.

**RESPONSE:**

6. Please confirm that Verizon does not dispute the costs set forth by each Coalition member in the Amended Petition on pages 10-14. If Verizon's response is anything but an unqualified confirmation, please provide the legal and factual basis for the response.

**RESPONSE:**

7. Please confirm that Verizon does not dispute the dates of in-office LNP technical, hardware, or software deployment, as provided in Attachment A to the Coalitions' Amended Petition. If Verizon's response is anything but an unqualified confirmation, please provide the legal and factual basis for the response.

**RESPONSE:**

8. Identify each person whom you expect to call as an expert witness at any hearing in this docket, and for each such expert witness:

- (a) identify the field in which the witness is to be offered as an expert;
- (b) provide complete background information, including the expert's current employer as well as his or her educational, professional and employment history, and qualifications within the field in which the witness is expected to testify, and identify all publications written or presentations presented in whole or in part by the witness;
- (c) provide the grounds (including without limitation any factual bases) for the opinions to which the witness is expected to testify, and provide a summary of the grounds for each such opinion;
- (d) identify any matter in which the expert has testified (through deposition or otherwise) by specifying the name, docket number and forum of each case, the dates of the prior testimony and the subject of the prior testimony, and identify the transcripts of any such testimony;

- (e) identify for each such expert any person whom the expert consulted or otherwise communicated with in connection with his expected testimony;
- (f) identify the terms of the retention or engagement of each expert including but not limited to the terms of any retention or engagement letters or agreements relating to his/her engagement, testimony, and opinions as well as the compensation to be paid for the testimony and opinions;
- (g) identify all documents or things shown to, delivered to, received from, relied upon, or prepared by any expert witness, which are related to the witness(es)' expected testimony in this case, whether or not such documents are supportive of such testimony, including without limitation all documents or things provided to that expert for review in connection with testimony and opinions; and
- (h) identify any exhibits to be used as a summary of or support for the testimony or opinions provided by the expert.

**RESPONSE:**

9. Please produce copies of any and all documents referred to or relied upon in responding to the Coalition's discovery requests.

**RESPONSE:**



10. Please provide all material provided to, reviewed by or produced by any expert or consultant retained by Verizon to testify or to provide information from which another expert will testify concerning this case.

**RESPONSE:**

11. Please produce all work papers of any of Verizon's proposed experts, including but not limited to file notes, chart notes, tests, test results, interview and/or consult notes and all other file documentation that any of Verizon's expert witnesses in any way used, created, generated or consulted by any of Verizon's expert witnesses in connection with the evaluation, conclusions and opinion in the captioned matter.

**RESPONSE:**

12. Please produce a copy of all trade articles, journals, treatises and publications of any kind in any way utilized or relied upon by any of Verizon's proposed expert witnesses in evaluating, reaching conclusions or formulating an opinion in the captioned matter.

**RESPONSE:**

13. Please produce a copy of all documents which relate or pertain to any factual information provided to, gathered by, utilized or relied upon by any of Verizon's proposed expert witnesses in evaluating, reaching conclusions or formulating an opinion in the captioned matter.

**RESPONSE:**

14. Please produce a copy of all articles, journals, books or speeches written by or co-written by any of Verizon's expert witnesses, whether published or not.

**RESPONSE:**

15. Please produce any and all documentation, items, reports, data, communications, and evidence of any kind that Verizon intends to offer as evidence at the hearing or to refer to in any way at the hearing.

**RESPONSE:**

16. Please produce all documents that refer or relate to the subject matter of your responses to Request Nos. 1 - 7.

**RESPONSE:**

17. Please identify by name, address, employer, and current telephone number, all persons having knowledge of the subject matter of your responses to Request Nos. 1 -7.

**RESPONSE:**

18. Please list all witnesses you expect will provide testimony at the hearing of this matter, including their name, address, and a summary of the scope of their testimony.

**RESPONSE:**

Respectfully submitted,  
The Tennessee Coalition of  
Incumbent Rural Telephone  
Companies and Cooperatives

By: 

R. Dale Grimes (006228)  
Tara L. Swafford (17577)  
Bass, Berry & Sims PLC  
315 Deaderick Street, Suite 2700  
Nashville, TN 37238-3001  
(615) 742-6244

Of Counsel:  
Thomas J. Moorman  
Stephen G. Kraskin  
Kraskin, Lesse & Cosson LLC  
2120 L Street N.W. Suite 520  
Washington, D.C. 20037  
202-296-8890

### CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via hand delivery or facsimile on May 17, 2004, upon:

Richard Collier, Esq.  
General Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

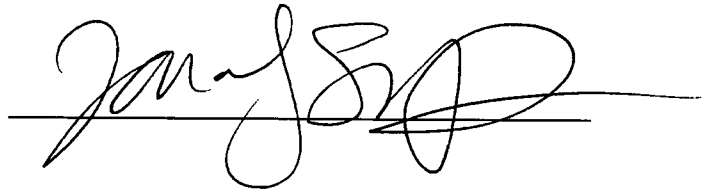
Hand delivery ☒  
U. S. Mail ☐  
Facsimile ☐

Paul G. Summers, Esq.  
Vance L. Broemel, Esq.  
Timothy C. Phillips, Esq.  
Office of the Attorney General  
Consumer Advocate and Protection Division  
425 5th Avenue North  
Nashville, Tennessee 37202

Hand delivery ☒  
U. S. Mail ☐  
Facsimile ☐

Melvin J. Malone, Esq.  
Miller & Martin, PLLC  
1200 One Nashville Place  
150 Fourth Avenue, North  
Nashville, Tennessee 37219-2433

Hand delivery ☒  
U. S. Mail ☐  
Facsimile ☐

A handwritten signature in black ink, appearing to read "Jon J. S. P.", is written over a horizontal line.